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New York

President:	Mr. Lavrov	(Russian Federation)
Members:	Bulgaria	Mr. Tafrov
	Cameroon	Mr. Belinga-Eboutou
	China	Mr. Wang Yingfan
	Colombia	Mr. Valdivieso
	France	Mr. Doutriaux
	Guinea	Mr. Fall
	Ireland	Mr. Corr
	Mauritius	Mr. Koonjul
	Mexico	Ms. Lajous
	Norway	Mr. Strømmen
	Singapore	Mr. Mahbubani
	Syrian Arab Republic	Mr. Wehbe
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon
	United States of America	Mr. Williamson

Agenda

The situation in East Timor

Report of the Secretary-General on the United Nations Transitional Administration in East Timor (S/2002/432 and Add.1).

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02-35680 (E)

The meeting resumed at 4 p.m.

The President (*spoke in Russian*): I should like to inform the Council that I have received a letter from the representative of the Philippines in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Yuchengco (Philippines) took the seat reserved for him at the side of the Council Chamber.

The President (*spoke in Russian*): The next speaker on my list is the representative of the Republic of Korea. I invite him to take a seat at the Council table and to make his statement.

Mr. Lee (Republic of Korea): First of all, I should like to thank you, Mr. President, for convening this open debate on East Timor. I should also like to express my delegation's appreciation to Secretary-General Kofi Annan for his introductory statement and to Assistant Secretary-General Hédi Annabi for his briefing on the Secretary-General's report (S/2002/432 and Add.1) earlier in this debate, last Friday.

We are gathered here today to share our profound delight at what we, the international community, have achieved in East Timor over the past two and a half years and to ensure that that tremendous achievement is a sustainable one. Having overcome a history of devastation, East Timor now stands as a budding independent State, the formal launching of which is less than a month away. Over the past few months, we have witnessed such historic milestones as the adoption of the country's Constitution and the election of its first President, setting the stage for an independent East Timor.

At this juncture, let me express, on behalf of the Government and the people of the Republic of Korea, my warmest congratulations to the leaders and the people of East Timor on having fulfilled their yearning for a free, independent State despite enormous hardships and challenges. Our special congratulations go to His Excellency Mr. Kay Rala Xanana Gusmão, the President-elect. During the earlier part of this meeting, held last Friday, his presence, together with that of His Excellency Mr. Mari Alkatiri, Chief Minister, honoured all of us. My delegation is fully confident that, with his proven leadership, President-elect Gusmão will set his country on the path to long-term peace and prosperity.

During the course of building an independent State, the United Nations has played a pivotal role through the United Nations Transitional Administration in East Timor (UNTAET), whose work covers not only security and political dimensions but also social and economic development. The Mission embodies the aspirations of the international community to peace, freedom and democracy. My delegation believes that its success in East Timor more than vindicates the relevance and strengths of the United Nations in current international affairs. In that regard, we truly commend the dedication of the Secretary-General, his Special Representative, Mr. Sergio Vieira de Mello, and their staffs.

The Republic of Korea is proud to have taken an active part in the international efforts for nation-building and for reconstruction in East Timor. We have been contributing a significant number of peacekeeping forces to the military component of UNTAET since its inception, thus helping to ensure a stable security environment for a smooth transition to independence. Bilaterally, the Republic of Korea has continued to extend humanitarian and development assistance to East Timor. Furthermore, since June last year we have maintained in Dili a permanent diplomatic presence, which will be upgraded to the embassy level.

With regard to the Secretary-General's report as it relates to the successor mission to UNTAET, the Republic of Korea fully supports the proposal to establish a United Nations Mission of Support in East Timor (UNMISET), a key element of which is a milestone-based approach towards the Mission's gradual withdrawal over a two-year period.

At this point, my delegation would like to congratulate Ambassador Kamalesh Sharma on his appointment as the new Special Representative of the Secretary-General for East Timor. His charm and competence are well known in the diplomatic community in New York.

My delegation is also in full agreement with the Secretary-General's observation that, given the

remaining challenges to security and stability as well as the fragile economy, it is essential that the international community remain engaged in this new State. Now is the time, not for complacency, but for renewed attention and support to East Timor.

Having taken a keen interest in the historic process of nation-building in East Timor, we eagerly anticipate the inauguration of the Government of the Democratic Republic of East Timor on 20 May, and we very much look forward to working closely with the new Government as it joins the global family of nations. Once again, I should like to convey the wish of the Government and the people of the Republic of Korea for continued peace and prosperity in East Timor.

The President (*spoke in Russian*): The next speaker on my list is the representative of New Zealand. I invite him to take a seat at the Council table and to make his statement.

Mr. MacKay (New Zealand): Thank you, Mr. President, for organizing this meeting on the situation in East Timor. We listened with great interest to the comments made on Friday by Secretary-General Kofi Annan, President-elect Gusmão and Chief Minister Alkatiri. We join with others in noting that the leadership of the President-elect and the Chief Minister will shape East Timor's future. Their leadership will be crucial in building on progress made over the past two years towards establishing a properly functioning, democratic and independent country. New Zealand expresses both to East Timor's leaders and to its people our warmest congratulations and the renewed assurance of our continued support for East Timor as a regional neighbour and friend.

The Secretary-General's proposal for the establishment of the United Nations Mission of Support in East Timor (UNMISET) represents a watershed for East Timor and its relationship with the international community. On 20 May, New Zealand, together with the rest of the United Nations family, will celebrate East Timor's independence in Dili. It will be a joyful and historic occasion. In recognition of the importance of that event, New Zealand will be represented by our Prime Minister. We hope that shortly after independence, we will welcome East Timor as the newest State Member of the United Nations.

The proposal for UNMISET signals both a beginning and an end. For the past two years, the Secretary-General's Special Representative, Sergio Vieira de Mello, and his team have worked in partnership with the East Timorese people to bring East Timor from a post-conflict situation to the eve of independence. The staff and leadership of the United Nations Transitional Administration in East Timor (UNTAET) have earned our respect and admiration, and we thank them for the commitment and hard work.

The job, of course, is not yet finished. The transition to a stable, just and secure East Timorese society requires a continued role for the United Nations. We welcome and endorse the Secretary-General's comprehensive proposal for the establishment of UNMISET to assist the East Timorese people and leadership. The Secretary-General's proposals provide a clear exit strategy for the peace support component of United Nations presence.

The downsizing proposals for military, police and civilian elements of UNMISET are based on realistic needs assessments and follow the concept endorsed by the Council last October. The proposals reflect the fact that East Timor is entering a new phase in its transition to a fully functioning sovereign nation. We look forward to the normalization of development assistance based on close coordination with the new Government of East Timor by United Nations agencies and other multilateral, regional and bilateral donors.

Like the United Nations, New Zealand's focus will move from peacekeeping to development assistance. At the end of this year, we will withdraw our battalion and helicopter support as part of the United Nations exit strategy. New Zealand's contribution to UNTAET has involved a substantial component of our defence forces. We will continue to support other United Nations missions through the provision of troops. Our police, customs and corrections personnel have already left East Timor, but we will continue to provide training and development assistance in these areas.

New Zealand looks forward to a maturing bilateral relationship with East Timor based on an agreed development framework and common regional interests. We join other speakers from last week in noting with concern the difficulties in the justice sector, including prisons, and endorse the appeal for progress in resolving these problems. There are major

tasks ahead in these areas in particular, and New Zealand stands ready to assist.

The Security Council has played a vital part in supporting East Timor since the post-ballot crisis in 1999. UNMISET represents the final phase in that role, with a specific downsizing plan linked to achieving specific milestones. The Secretary-General's proposal details a sound, realistic and focused mission. We encourage the Council to endorse its establishment, and in doing so, to entrench what has been achieved while acknowledging what remains to be done.

The President (*spoke in Russian*): The next speaker inscribed on my list is the representative of Brazil. I invite him to take a seat at the Council table and to make his statement.

Mr. Fonseca (Brazil) Thank you, Mr. President, for organizing this open debate on East Timor.

As the mandate of the United Nations Transitional Administration in East Timor (UNTAET) draws to a close, we have good reason to feel proud of the United Nations.

I want to pay tribute to my fellow countryman, Sergio Vieira de Mello, who will be soon stepping down as Special Representative and Transitional Administrator. Under his competent and steady guidance, UNTAET turned out to be one of the most successful achievements of the United Nations. We are grateful for what Sergio and his staff were able to accomplish together with the people and the leadership of East Timor. It is the spirit of sacrifice of highly motivated international civil servants like him which makes this Organization great and provides a vivid example of what the values enshrined in the United Nations Charter are all about.

The Security Council will soon establish a new mission in East Timor, to be headed by our esteemed colleague, Ambassador Kamalesh Sharma, of India. We all admire his personal qualities, skills, intelligence and dedication to the cause of the United Nations. The East Timorese people could not rely on a better friend as they undertake their journey as an independent country.

Brazil is delighted to join in celebrating the successful presidential elections held in East Timor. Xanana Gusmão had his charismatic leadership confirmed and blessed at the polls. His tenacity and unmistakable commitment to democracy, peace, tolerance and reconciliation will prove to be essential in the crucial years immediately after independence. His presence among us on the first day of this debate was an opportunity for the United Nations and the international community to pay tribute to his leadership role. Brazil joins its voice in greeting this extraordinary leader of the East Timorese people. We were also pleased to have among us Chief Minister Alkatiri. We admire his determined and dedicated leadership, which will continue to be crucial as he takes up the position of Prime Minister.

The foundations of the future State of East Timor have now been established. Nevertheless, the tasks and the responsibilities of the United Nations in East Timor are by no means over. We are approaching not the end of United Nations engagement in East Timor, but rather a new beginning that will require continued political commitment.

At this critical moment, it is important to convey a clear message of encouragement and unflinching support for the East Timorese people. Independence Day, on 20 May, will mark the launching of a new phase in which our steadfast cooperation and support in a vast array of critical areas will be required to underpin the exercise of sovereignty by the East Timorese.

The magnitude of the challenges facing this new nation calls for a generous pledge of assistance from the international community. We must ensure a smooth and seamless transition to independence, so as to preserve stability and security, as well as continuity in the public administration. This will require securing a predictable source of funding.

Brazil supports the establishment of a successor mission to UNTAET, as proposed by the Secretary-General, comprising military, civilian, and civilian police components. We will continue to participate in this effort not only with our troops, but also through the programmes developed under the umbrella of the Brazilian Agency for Cooperation.

Given the limited pool of professional and administrative expertise in East Timor, it is particularly important that the civilian component include the 100 key functions within the administration to guarantee continuity and ensure on-the-job training for East Timorese officials. Moreover, the downsizing of the military and the civilian police components must be commensurate with the capacity of the East Timor Defence Force and the East Timor Police Service to

provide external and internal security. I am confident that stability will be preserved in East Timor as democratic institutions mature and reconciliation efforts gain momentum.

We must base decisions concerning the level of the force and the duration of its presence on a clear assessment of the concrete needs of the future sovereign State of East Timor. No one wants an open-ended mission in East Timor, let alone the perpetuation of dependency. A clear exit strategy is necessary, one that takes into account the need for capacity-building and does not jeopardize the progress achieved so far.

Our enthusiasm about East Timor's independence must not lead us to lose sight of the huge problems that await the future Government just around the corner. East Timor is a developing country, mired in poverty and in desperate need of international assistance. The high unemployment rate is unlikely to be reversed in the short run. The so-called windfall of gains from the exploitation of oil and gas in the Timor Gap will not come tomorrow or the day after. This is an area that requires investments that will only mature over time.

In this context, it becomes even more pressing to continue to bring income-generating projects into operation, maintain the flow of international aid and create the conditions for sustainable development and good governance. In addition, it is essential to retain the current level of public services after independence. The deterioration of such services would hurt the most vulnerable and could constitute a blow to public confidence in the future State.

To put it in a nutshell, the international community as a whole must continue to provide generous support for the rehabilitation, reconstruction and development of East Timor.

Independence Day will mark a new era in East Timor and represent the fulfilment of the legitimate aspirations of an admirable people. It will also be a moment to reflect on the multiple challenges that lie ahead in making the independent State of East Timor work for each and every one of its citizens. Brazil is sure that democracy will flourish through the vibrant participation of the people in the affairs of the community. Democracy must be nurtured by the sense of empowerment that comes not only with civil and political rights, but also with economic and social improvement.

We offer our best wishes for the progress and happiness of the East Timorese, and we are looking forward to working side by side with them in the community of the United Nations as well as in the Community of Portuguese-Speaking Countries.

The President (*spoke in Russian*): The next speaker inscribed on my list is the representative of Chile. I invite him to take a seat at the Council table and to make his statement.

Mr. Valdés (Chile) (*spoke in Spanish*): I should like, on behalf of the delegation of Chile, to thank you, Mr. President, for having convened this public debate on the mandate of the United Nations Transitional Administration in East Timor (UNTAET), thus providing us with an opportunity to express once again our view on a process of self-determination with which we feel very closely identified. It is also gratifying to have the opportunity to speak during your presidency, Sir, as the Russian Federation has staunchly supported UNTAET since the very beginning of this difficult and successful endeavour.

Since 1961, Chile has been a member of the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. In that forum, as well as in others, it has worked hard in favour of the principle of the self-determination of non-self-governing territories on the agenda of the United Nations.

We therefore fully appreciate the real significance for the people of East Timor of having achieved, after so many years of struggle, the right to decide freely, and within a framework of respect for democratic values, the form of government that will determine their first steps as a viable and independent nation.

We welcome the climate of peace and order that characterized the recent electoral process, which culminated in the election, by a large majority, of the presidential candidate Mr. Xanana Gusmão, to whom we again extend our most sincere congratulations and wish every success in the discharge of his important functions.

Chile shares the view expressed by the Secretary-General in his most recent report that, even given the substantial progress that has been made in consolidating the political and institutional structure of East Timor, the process will remain fragile when

independence is declared on 20 May and will require the assistance and solidarity of the international community.

Because of that, the international community must assume its inescapable responsibility to prepare the people of East Timor to exercise its most cherished and fundamental rights within a framework that guarantees freedom and democracy. A future United Nations presence, if possible for a period of no more than two years, with a clear mandate and with the consent and active support of the East Timorese people, seems to be the best way to achieve that end.

Chile therefore supports the establishment of the United Nations Mission of Support in East Timor (UNMISET) and welcomes the proposal of the Secretary-General to establish a comprehensive plan for implementing the mandate of the mission, which, as the Council knows, will focus on three main programmes, dealing with stability, democracy and justice; internal security and law enforcement; and external security and border control.

We cannot fail to acknowledge and express our appreciation for the help and constant guidance that the Security Council provided throughout this process. We value in particular the commendable work done by the Special Representative of the Secretary-General for East Timor and Transitional Administrator, Mr. Sergio Vieira de Mello, and by the Senior Minister for Foreign Affairs of the Transitional Cabinet, Mr. José Ramos Horta. We wish Ambassador Kamalesh Sharma, the newly appointed Special Representative of the Secretary-General, every success in discharging his challenging new functions, and we reiterate our willingness to cooperate with him.

Even as I speak, a Chilean squadron of helicopters assigned to East Timor is reaffirming, through its actions, our commitment to see through to a successful conclusion the process of political transition there. Likewise, in a spirit of cooperation and selflessness, we will respond, within our means, to the appeal for any cooperation that may be required for the reconstruction of what will be the first new nation of the millennium.

The President (*spoke in Russian*): I thank the representative of Chile for the kind words he addressed to the Russian presidency.

The next speaker inscribed on my list is the representative of Egypt. I invite him to take a seat at the Council table and to make his statement.

Mr. Aboul Gheit (Egypt) (*spoke in Arabic*): It is a pleasure for me to sit next to our brother and good friend, Mr. Annabi, as well as next to the delegation of Colombia.

The Council is meeting today to celebrate a unique event — an event in which the international community has participated with a view to fulfilling the principles and purposes of the United Nations Charter and to achieving peace, equality and justice among peoples. The independence of East Timor will complete a very important political process in that territory — a process of reconciliation to which many influential actors have contributed, in particular Indonesia and many national Timorese leaders. That effort has resulted in independence, and has made it possible for the Timorese people to overcome a very difficult period in its history and to build a new State in a climate of good relations and peace with its neighbours.

We agree with the Secretary-General's logical analysis, as expressed in his recent report on East Timor, which refers to the numerous challenges that could be faced in the post-independence period. There is thus a need to act quickly in order to guarantee stability and efficient development for the new State. The Secretary-General's report lists those challenges as border demarcation, the return of refugees, the regulation of commercial activities in the border area, the strengthening of nascent governmental structures, including law enforcement and the judicial system, and the consolidation of the framework for economic and social development.

However, all these factors have to be accompanied by the complete respect of the international community for the independence of East Timor, for non-interference in its internal affairs and for the guarantee of freedom of action and freedom of choice for the Timorese people represented by its elected leadership. The international community must also respect East Timor's free choice of its future and the model it will follow in its international relations. This independence will, without a doubt, safeguard stability and the achievements of the Transitional Authority.

The security situation continues to represent a clear challenge vis-à-vis the achievement of complete stability in East Timor. Consequently, we support the principle of continuing the United Nations mission and reducing its size after independence. This would help provide the most appropriate conditions to guarantee security for the new, emerging State.

My delegation subscribes to the mandate set out in the Secretary-General's report, namely, to give the administrative support and assistance necessary for the establishment of legal structures so that the country can maintain internal and external security.

The success of the efforts by the international community in East Timor clearly reflects what success is possible when there is the international will. That is the will to promote and strengthen the principles of the United Nations Charter, namely, saving succeeding generations from the scourge of war, respecting human rights and the rights of the individual, establishing justice and complying with obligations under international law.

Egypt attaches special importance to East Asia, with which we enjoy strong relations due to our long-standing diplomatic relations with that region. We welcome warmly the emergence of a new, friendly State joining the international community, a State whose people have worked hard to ensure peace, equality and justice, and whose will has finally triumphed.

The President (*spoke in Russian*): The next speaker inscribed on my list is the representative of Fiji. I invite him to take a seat at the Council table and to make his statement.

Mr. Naidu (Fiji): We congratulate the Russian Federation on taking up the Security Council presidency this month, and we thank you for this opportunity to make a short statement.

Had we spoken on Friday, we would have had a chance to personally thank and welcome Chief Minister Alkatiri at this meeting and also to congratulate Mr. Xanana Gusmão, President-elect of East Timor. Nevertheless, I am sure the message will be conveyed to both of them.

It is a fitting tribute to East Timor that her first democratically elected President takes up this revered calling with a landslide victory. The May 20 Independence Day will showcase the new President and the success stories of an independent and democratic East Timor. In welcoming the newest democracy to the fold, Fiji will be sending our Minister and our Permanent Secretary for Foreign Affairs to join the people of East Timor in celebrating their history.

This debate must welcome the achievements in East Timor to enable the Security Council to better focus on remaining challenges before it and before the United Nations system. Today we witness a nation that has been rebuilt in record time. Two and a half years is an unimaginable time frame for a nation so devastated to gain the wisdom that would help it to reverse track and move solidly towards democracy and towards observance of the rule of law and human rights standards.

Despite visible gaps in the new nation's development roadmap, which are set out in the report of the Secretary-General, Fiji acknowledges the spirit of cooperation and maturity in her people. These attitudes and the determination of the East Timorese people have helped the United Nations facilitate a transitional administration.

The promulgation of the constitution in March 2002 has set the foundation for governance of East Timor when it gains independence in May 2002. Another critical task for the fledgling nation has been the conduct of the presidential elections. This historic event recorded a very high voter turnout, was incident-free, and was ably managed and conducted by an experienced Independent Electoral Commission. Both presidential candidates deserve praise for the mood of unity they displayed at the start of the polls, which must have generated optimism and goodwill in the voters and in the election process.

The commencement of the joint reconnaissance this week along the West Timor border marks growing cooperation between all parties. This gives us hope that common land borders will be fully delineated by the end of the transition period, as was envisaged in the drawdown plan.

We agree that infrastructure rehabilitation must take place in parallel with community development initiatives. The promotion of human rights, the protection of the environment and the advancement of women are three important pillars in this national development. These are also key targets of the Millennium Development Goals. We look forward to the finalization of the United Nations Development

Assistance Framework for East Timor in May. This framework can synthesise national development goals with the forms of assistance that are available from the United Nations system. We can be confident that such optimal matching of goals with resources will accelerate the necessary economic, financial and fiscal recovery, which the Secretary-General has highlighted as crucial for the delivery of services by the national institutions.

New energy clearly emanates from the work of the Commission for Reception, Truth and Reconciliation, which is consulting on its mandate with the community — including former political prisoners — over its various tasks to bring justice to the aggrieved and to prevent future human rights violations. The increased numbers of refugees returning from West Timor recently signal growing confidence in this and other developing national processes.

Mindful of the huge gaps in the status of the security framework in East Timor, we are heartened by her courageous step this week in hosting a trilateral police meeting on regional security with Australia and Indonesia. Common concerns over human trafficking, drug smuggling and other cross-border crimes led to an agreement to further trilateral police cooperation.

Having noted some random developments in East Timor, we balance our observation with a realistic appreciation of the major areas of need come 20 May and the end of the United Nations Transitional Administration in East Timor (UNTAET).

With the International Criminal Court now a reality, East Timor will draw its substantive law provisions and regulations principally from the Court's statute to deal with the serious crimes and atrocities that occurred in East Timor after the referendum. The success of this initiative depends on an effective and able criminal justice system, an area that is really handicapped. The institutions and judicial complement need strengthening — in particular the Dili District Court, which has exclusive jurisdiction over these serious crimes. The justice system is therefore our proper area of focus for strategic intervention to enhance local and international confidence in it.

The Secretary-General has detailed other specific areas of need where multilateral, bilateral, inter-agency and private partnerships will continue to be in high demand if East Timor is to sustain its accomplishments. On that note, Fiji joins the long list of those voicing support for the Secretary-General's proposals and for authorizing the establishment of the United Nations Mission of Support in East Timor (UNMISET) for an initial period of two years. We do not wish to foreclose any future need to extend that time frame, should the mission fall below post-independence development goals and targets. Fiji is of the firm view that supporting hands are indispensable to an infant taking its first steps.

The United Nations must continue to guard its partnership in this success story. East Timor must remain on the United Nations agenda, notwithstanding other pressing global crisis situations. This position well accords with the United Nations goals of peacekeeping, peacemaking and conflict prevention, and with their requisite paradigm. In that light, we are pleased to note that the key areas of focus for UNMISET will be stability, democracy and justice; internal security and law enforcement; and external security and border control. Periodic reports from UNMISET will keep the United Nations apprised as to how the successor mission is supporting the independent Government of East Timor. That can help the United Nations to better gauge how the weak areas are responding to rehabilitation, support strategies or interventions.

Last but not least, we must give credit to Mr. Sergio Vieira de Mello. His perseverance and outstanding leadership made UNTAET a true success story. We can be certain that the successor mission, UNMISET, although far smaller in scale, will take our collective mission to even greater heights under the capable command of His Excellency Ambassador Kamalesh Sharma, who takes up the post with Fiji's best wishes and total confidence.

The President (*spoke in Russian*): The next speaker inscribed on my list is the representative of Malaysia. I invite him to take a seat at the Council table and to make his statement.

Mr. Zainuddin (Malaysia): My delegation commends you, Mr. President, for convening this important open meeting on the situation in East Timor. I would also like to thank the Secretary-General for his report contained in documents S/2002/432 and S/2002/432/Add.1, and Mr. Annabi, Assistant Secretary-General for Peacekeeping Operations, for his comprehensive briefing to the Council last week. My

delegation also wishes to thank Mr. Xanana Gusmão for sharing developments in East Timor with us. My delegation congratulates him on his recent election to become the first President of an independent East Timor. We were also pleased to listen to the briefing made to the Council last week by the Chief Minister of East Timor, Mr. Mari Alkatiri.

The work of the United Nations Transitional Administration in East Timor (UNTAET) is nearing its completion. In a short span of time, UNTAET has managed to lay down the necessary fundamental structures for an independent nation. In that regard, we commend the men and women of UNTAET for their efforts. We also wish to join others in expressing our appreciation to the Special Representative of the Secretary-General, Mr. Sergio Vieira de Mello, for his remarkable contribution.

The successful presidential elections, the adoption of the Constitution of the Democratic Republic of East Timor and the handing over of most executive and operational functions to the East Timorese further consolidate the East Timor independence process. The process will culminate in high-level ceremonies and celebrations to mark independence on 20 May 2002. Malaysia looks forward to welcoming East Timor to the United Nations.

Malaysia would like to reiterate its support for the proposal of the Secretary-General for a continued United Nations presence for two years after East Timor's independence. The continued presence of the United Nations beyond the completion of the political transition is important to ensure the smooth implementation of the arduous process of nation-building. The envisaged integrated successor mission to UNTAET, the United Nations Mission of Support in East Timor (UNMISET), will enable the United Nations to complete the mandate set out in Security Council resolution 1272 (1999).

The proposed mandate of UNMISET is pragmatic and achievable, and is in line with the concept of the successor mission that the Secretary-General outlined to the Council at its 4403rd meeting, in October last year. Malaysia believes that this proposal will be acceptable to the Council, as the concept was already endorsed by members of the Council as reflected in its presidential statement issued following that meeting (S/PRST/2001/32). We believe that the objectives of UNMISET cannot be attained without the continued and sustained support of the rest of the international community. Malaysia is confident that the friends of East Timor will lend the necessary support to the United Nations in the early years after independence. As a regional neighbour, Malaysia will play its part in assisting the people of East Timor in their efforts to build a progressive nation, within its ability to do so.

The two-year period provided by the continued presence of the United Nations will enable the institutions that are being built in East Timor — especially the civil service — sufficient time to be further consolidated and strengthened. This intervening period is essential for the East Timorese people to acquire the necessary skills and experience, especially in the core functions in which local expertise is lacking, so as to ensure a functioning and effective governmental machinery in the post-United-Nations period.

My delegation notes with concern the observation made by the Secretary-General that the development of a professional and effective public administration will remain a major challenge in the coming years. The fact that less than 50 per cent of management positions have been filled thus far is a major concern. The successor mission will have to explore ways to identify qualified candidates to fill those critical posts. The approach of training and mentoring potential candidates is a step in the right direction, and should complement the identification of qualified East Timorese.

My delegation also notes that 71 candidates have been recommended for recruitment to fill the critical 100 core functions as highlighted in previous reports. Those are critical areas where the East Timorese are lacking in expertise. My delegation hopes that the candidates will be able to function well with their Timorese counterparts. Their experience and skills will be essential to help guide their Timorese colleagues. The United Nations should avoid a situation where these expert personnel would face limitations in imparting their knowledge directly to local civil servants. It is important to ensure that policies and programmes are formulated on the basis of the objective situation on the ground.

The process of nation-building and reconciliation is a highly complex and sensitive matter. The return of refugees is one of the important elements of that process. In that regard, my delegation is pleased to note

that in March 2002 there was an upsurge in refugee returns: in that single month it was recorded that 3,680 people returned. The effort by the Office of the United Nations High Commissioner for Refugees to continue to facilitate "go-and-see" visits and border reconciliation meetings will contribute to increasing refugee returns. The decision by the Government of Indonesia to extend the deadline for assisted repatriation until the end of August will allow East Timorese to decide whether to return to East Timor after its independence or to be resettled in Indonesia. The continuing cordial and constructive contacts between the leaders of East Timor and those of its immediate and important neighbour, Indonesia, augur well for the regional integration process.

The invaluable experience gained by UNTAET in East Timor should be properly documented, and valuable lessons should be drawn from it as a model of a successful peacekeeping mission. In our view, one of the most important lessons to be drawn relates to the need for the active involvement of the countries in the region, as was the case with UNTAET. The importance of regional involvement is premised on the following considerations: knowledge of the country, shared cultural values, customs and language and an abiding interest in ensuring regional stability. The success of UNTAET can be attributed, inter alia, to those factors.

UNTAET has been able to lay down the basic structures for an independent nation. UNMISET, the successor mission of UNTAET, will have to consolidate that effort by May 2004 and leave behind strong and viable structures for a new nation. We are confident of its ability to do so.

The President (*spoke in Russian*): The next speaker on my list is the representative of Ukraine. I invite him to take a seat at the Council table and to make his statement.

Mr. Kuchinsky (Ukraine): We are grateful to you, Mr. President, for convening this important meeting. I would like to join previous speakers in thanking Mr. Annabi for his comprehensive briefing last Friday to introduce the report of the Secretary-General, (S/2002/432 and Add.1), which presents a clear picture of the challenges facing us. We are pleased to congratulate His Excellency Mr. Xanana Gusmão on his election as the first President of East Timor, and we wish him every success in his important endeavours. Unfortunately, we could not make our statement when the President-elect and the Chief Minister of the Transitional Government, Mr. Alkatiri, were present in the Chamber. Still, we would like to express our gratitude for their useful and very informative statements.

I shall limit myself to only a few remarks on a number of issues of particular importance to my delegation. We cannot but mention the significant progress made in the implementation of key elements of UNTAET's mandate, including the transition to independence, the establishment of a public administration and the creation of a stable security environment. We are encouraged by achievements in the field of economic and social development, in the health and education sectors in East Timor and in building the civil service.

My delegation welcomes the adoption on 22 March 2002 of the Constitution of the Democratic Republic of East Timor, which will come into force on 20 May 2002. That document provides for a unitary, democratic State based on the rule of law and on the principle of separation of powers.

We are particularly pleased with the successful holding on 14 April of the presidential elections in East Timor. We highly appreciate the efforts of the United Nations Transitional Administration in East Timor (UNTAET) and of the Transitional Cabinet to ensure the holding of democratic and orderly general legislative and presidential elections. We consider that the adoption of the Constitution and the successful presidential election were extraordinary, important events on the way to the independence of East Timor.

At the same time, we agree with the Secretary-General that once independent, East Timor will still require further substantial international support in many areas in order to ensure security in East Timor and the viability and stability of its Government structures. In that context, we share the relevant recommendations contained in the recent report of the Secretary-General, which outlines in clear and specific detail the proposed structure for the United Nations presence in East Timor after independence.

We believe that the Secretary-General's recommendations for the United Nations Mission of Support in East Timor (UNMISET) are both wise and carefully considered in their details. Ukraine wholeheartedly endorses them. In our opinion, the proposed mandate, structure and size of the mission

will, on the one hand, ensure effective international participation in the reconstruction of East Timor and, on the other, provide first and foremost for the active participation of the East Timorese themselves in the building of their country.

In that regard, we welcome the high profile that the Secretary-General has given to the issue of support for the post-independence public administration, in particular its Timorization. It is our view that the strengthening of national justice and law enforcement structures and capacities will also need particular attention from UNMISET.

The second topic, which other speakers have already referred to, is security in the country. I strongly support the strong emphasis placed by the Secretary-General on the areas of internal security and law enforcement, as well as on external security and border control. All these issues require effective police and military structures. It is important to enable the East Timorese to play an increasing role in enforcing public safety and in the defence of East Timor's borders. We are of the view that the strengthening of the East Timorese Defence Force and the East Timorese police should be among the priority tasks of UNMISET.

We believe that those measures must also be part of great, sustained efforts aimed at economic and social development through the appropriate use of resources and the creation of national capacities in order to make proper use of those resources.

Finally, I would like to pay tribute to the UNTAET staff for their efforts and to the Special Representative, Mr. Sergio Vieira de Mello, personally, for his able and effective leadership of the mission. We are convinced that the successor mission, UNMISET, will ensure that the gains made during the past two and a half years are further consolidated. Let me assure you, Mr. President, that Ukraine is ready to support the efforts of UNMISET, headed by Ambassador Kamalesh Sharma, who will succeed Sergio Vieira de Mello as Special Representative of the Secretary-General for East Timor. We wish Ambassador Sharma every success.

The President (*spoke in Russian*): The next speaker on my list is the representative of Thailand. I invite him to take a seat at the Council table and to make his statement.

Mr. Kasemsarn (Thailand): Mr. President, allow me at the outset to pay tribute to you and to the Russian Federation for your presidency of the Security Council this month. I should like to express my appreciation to you for convening this timely meeting of the Security Council on East Timor right before the country joins the family of nations as an independent State. I would like to thank the Secretary-General for his proposal for a United Nations successor mission to the United Nations Transitional Administration in East Timor (UNTAET). His wise counsel that the international community must ensure that the investment it has made does not go to waste should be taken seriously by the Members concerned. I would also like to thank Assistant Secretary-General Hédi Annabi for his thorough briefing last Friday on developments in East Timor.

We regret that we cannot enjoy the presence of President-elect Kay Rala Xanana Gusmão at this meeting today. However, we should like to join the rest of the world community in congratulating him on having overwhelmingly won the presidential elections on 14 April. His presence in the Council Chamber on Friday attested to the resilience and fortitude of the East Timorese people, with whom we will join in celebrating the birth of that nation in less than a month's time.

The birth of East Timor as a new nation-State is the result of the strong political will and close cooperation of many parties: the United Nations; members of the international community, particularly the neighbours of East Timor; and, most important, the people and the leadership of East Timor themselves. In that connection, I wish to pay special tribute to the Secretary-General, Special Representative Sergio Vieira de Mello and the rank and file of the United Nations Transitional Administration in East Timor (UNTAET) for their tireless efforts and determination to ensure stability and security in East Timor and to lay the groundwork and foundation for a democratic State. East Timor is thus, by all accounts, a success story for the United Nations, and we should all be proud of it. Thailand took pride in making a contribution to that success story through our participation in the United Nations military component from the very beginning and our provision of two Force Commanders.

The recent developments in East Timor augur well for its political future and set in place important building blocks for the creation of a sovereign and

independent East Timor on 20 May. The adoption of a Constitution in March, and the successful conclusion of East Timor's first-ever presidential elections not long ago, are just two of the key events that give us confidence in East Timor's future political development. All those culminating events will help ensure the seamless handover of UNTAET's responsibilities to East Timorese and national institutions towards a full-fledged independent East Timor in charge of its own destiny, which we will welcome wholeheartedly.

Let us not be lulled into a sense of complacency, however. Much work remains to be done in East Timor, not the least of which is the strengthening of its social and economic infrastructure so that East Timor not only will be a viable economic entity but also, in time, will fully participate in the regional and global economy on an equal footing. And we should not, and cannot, expect East Timor to do it alone. As my country has stated on many occasions, East Timor, as a nation-State, still needs the continued, unwavering support, assistance and cooperation of the international community. The United Nations needs to continue to be engaged in East Timor in an appropriate manner during this critical phase of transition as well as in the immediate post-independence phase.

Bearing that in mind, my delegation supports the Secretary-General's proposal to establish a successor mission to UNTAET in the form of the United Nations Mission of Support in East Timor (UNMISET), as described in his report dated 17 April 2002 (S/2002/432), in order to create a secure environment conducive to the effective functioning of the nascent East Timorese administration, especially after independence. We hope that UNMISET will give equal importance to economic security and to political security.

The economic viability of a newly independent East Timor will require strong and sustained international support for the foreseeable future. Close cooperation between UNMISET and the United Nations Development Programme will also be a vital component. In that connection, we attach importance to the donors conference to be held in Dili on 14 and 15 May, and we call on members of the international community to pledge assistance commensurate with their respective capabilities. As for Thailand, we will provide technical assistance within our means in such fields as agriculture, public health and technical expertise, on a bilateral basis or through tripartite arrangements.

With regard to the military and civilian components of UNMISET during the built-in phasing-out programme parallel with the gradual build-up of the capacities of local authorities, Thailand stands ready, as ever, to contribute to UNTAET's successor mission. In fact, we are discussing redeployment options with the United Nations to meet changing security requirements in the post-independence phase.

I believe that all of us look forward with great anticipation to 20 May, which will mark the joyous celebration of an independent East Timor. All are willing to lend a helping hand to ensure that that event takes place smoothly. On a lighter note, I am told that even the Thai private sector will lend a helping hand in terms of assisting in providing additional accommodation facilities — a second "floating hotel" — to meet the demand, with many dignitaries expected to converge on Dili on 20 May.

In conclusion, Thailand will continue to lend its support within its capabilities to assist East Timor and to hope that the transformation to an independent and viable East Timor will be a successful one.

The President (*spoke in Russian*): The next speaker on my list is the representative of Indonesia. I invite him to take a seat at the Council table and to make his statement.

Mr. Djumala (Indonesia): Today's meeting of the Security Council holds special significance, as it is being held against the backdrop of the recent presidential elections in East Timor. The people and the Government of Indonesia look forward to joining the East Timorese in the historic celebrations of their Independence Day, on 20 May 2002.

East Timor's journey towards sovereign statehood is, of course, inseparable from the successful conclusion of the mandate of the United Nations Transitional Administration in East Timor (UNTAET), under the leadership of the Special Representative of the Secretary-General, Mr. Sergio Vieira de Mello. In that regard, I should also like to take this opportunity to congratulate Mr. Kamalesh Sharma as he embarks on his new assignment as head of the proposed United Nations Mission of Support in East Timor (NMISET). My delegation wishes to express its cooperation and support as he undertakes the challenging tasks ahead.

Since the last Council meeting on this item, positive cooperation at all levels of governance and through the implementation of understandings reached between my Government and UNTAET/East Timor has led to the substantive progress achieved to date, most notably the two recent important agreements. That, we believe, augurs well for a forward-looking and reconciliatory relationship between the two sides. Having said that, my delegation deems it necessary to stress that the important aspects of a bilateral relationship should grow and develop in line with the mutuality of interests of the concerned sides.

Indonesia reaffirms the need to address the complex multidimensional issue of refugees in a comprehensive manner. While more than 8,000 refugees returned to East Timor during the period January to April 2002, about 50,000 remain in the province of East Nusa Tenggara. The basis for a comprehensive solution to the refugee issue is the 27 November 2001 joint appeal of the Government of the Republic of Indonesia and the United Nations on solutions for East Timorese refugees. The expedited resolution of this matter would be in the best interest of all parties concerned. Thus, my Government believes that we should move beyond rhetoric and platitudes and request the international community to respond positively to the joint appeal.

Moreover, refugee returns in large numbers have been made possible by effective security at borders. More importantly, good cooperation between the Tentara Nasional Indonesia (TNI) and UNTAET has been a key component in assuring security, as reflected in the Secretary-General's report. The latter should have been the report's focus, rather than irrelevant and unnecessary references to "militias", because using such terminology gives an inaccurate impression that lawlessness exists at the border, and this is simply not the case.

Similarly, we believe that the report should have stressed the good cooperation between Indonesia and UNTAET, with the holding of regular working-level meetings to deter criminal activity, instead of depicting criminal activity absent any concrete evidence. Just recently, on 24 April, trilateral talks on regional security issues were held between Indonesia, UNTAET/East Timor and Australia, aimed at deterring cross-border crimes such as drug smuggling, money-laundering and people-smuggling. This is a significant development indeed for promoting regional cooperation.

Furthermore, we place great importance on joint border cooperation, as evidenced by keeping various agreements. However, border agreements should not in any way be tied to security issues, let alone related to downsizing of the military component of UNTAET's successor mission. Agreements, due to their arbitrary nature, cannot be imposed on either of the respective sides and have to be considered within the context of a developing bilateral relationship.

At the same time, our commitment to upholding justice by prosecuting human rights violations that occurred in East Timor in the period leading up to and immediately following the popular consultation held in August 1999 was reflected in the beginning of the proceedings of the Ad Hoc Human Rights Tribunal on 14 March 2002. On the eve of the trials, my Government adopted two important regulations governing witness protection and compensation for victims and human rights abuses.

In my delegation's view, such considerable progress attained specifically for the effective functioning of the Tribunal should be received positively, as it undeniably attests to the sincere efforts of the Indonesian Government and parliament, judicial institutions and civil society alike to implement this judicial process in a prompt and fair manner. Let us therefore respect the independence of the national judicial system, let it take its course, and refrain from impromptu and hasty judgements. Furthermore, we welcome bilateral and international assistance to enhance the capacity of the human rights courts, as was recently provided by France.

As a new chapter opens in the lives of the East Timorese people, my Government is committed to adopting a forward-looking approach based on cooperation and partnership, rather than on dwelling on issues of the past. To this end, Indonesia extends its support for the efforts of the new Government in Dili and its endeavours for good governance, which, among other things, should include adopting relevant legislation to decide status of land and property rights in East Timor, and respect for basic rights of the East Timorese people regardless of their political persuasions, the rule of law, the smooth functioning of the administration and sustained efforts undertaken to promoting reconciliation among its people.

Finally, Indonesia reaffirms its readiness to work, in a spirit of cooperation, partnership, harmony and amity, towards building a peaceful, unified and sustainable society in East Timor.

The President (*spoke in Russian*): The next speaker inscribed on my list is the representative of the Philippines. I invite him to take a seat at the Council table and to make his statement.

Mr. Yuchengco (Philippines): It is my pleasure, Mr. President, to address the Security Council at this historic meeting under your able stewardship. I wish to thank you for convening this important meeting.

I also wish to convey my Government's profound felicitations to President Xanana Gusmão on his overwhelming victory in the first presidential election of East Timor. The unwavering support conferred by the Timorese on his leadership is phenomenal and well deserved. The peaceful and orderly conduct of the elections speak well of those behind it, especially the United Nations Transitional Administration in East Timor (UNTAET) and its leadership, the International Electoral Commission and, not least, the Timorese people, to whom we pay tribute and admiration for their determination to chart their own destiny.

In less than a month, the international community will welcome a new nation. We have witnessed the transformation of East Timor from conflict to an independent State. In this regard, we commend UNTAET, in particular the Special Representative of the Secretary-General, Mr. Sergio Vieira de Mello. But, above all, we must laud the Timorese for their great efforts. However, much remains to be done. We welcome the new Special Representative, Mr. Kamalesh Sharma, who will continue the excellent work of Mr. Vieira de Mello.

The Secretary-General's report presented a graphic scenario of the state of play in East Timor and of the direction in which it is sailing. The report indicates that while the road to East Timor's birth was smooth and that some fundamental structures are in place, the challenges ahead are daunting, as with any new State. If there is any common thread that can be drawn, it is the fact that the international community more than ever must stay on course in supporting East Timor, at least for the next few years. The areas in which the international community could offer assistance are vast, and the Secretary-General has identified them, notably the eight programme areas for reconstruction, as outlined in paragraphs 43 to 57 of his report.

My Government has continuously expressed its support for a strong United Nations presence in East Timor after its independence and has supported the Secretary-General's proposals for a successor mission made last January. Today we reaffirm that support, specifically with respect to the structure and programmes of UNTAET's successor mission, the United Nations Mission of Support in East Timor (UNMISET).

The proposed gradual downsizing of the civilian, police and military components in a span of two years and the hand-over of their functions to the Timorese fall squarely with the "ownership principle" and the capacity-building we envisioned for East Timor.

In a bilateral context, my delegation is pleased to inform the Council that a human resources development package for the Timorese is being worked out between my Government and other donor nations. The Philippine Government is also participating in regional cooperation projects to assist East Timor within the framework of the Association of South-East Asian Nations.

If we are to see the completion of what has been a United Nations success story, the international community must remain vigilant in demonstrating and sustaining its support for East Timor, bearing in mind that its security is fragile and that nation-building is a complex process.

Finally, allow me to thank the Secretary-General and his representatives for their continuing commitment to peace and democracy in East Timor.

The President (*spoke in Russian*): I shall now give the floor to Mr. Annabi to respond to comments.

Mr. Annabi: My colleagues and I have taken careful note of the words of appreciation regarding the work of the United Nations Transitional Administration in East Timor (UNTAET) and of Sergio Vieira de Mello on behalf of the people of East Timor. I will gladly convey them to Mr. Vieira de Mello. I am also very grateful for the support expressed by all members of the Council and other Member States for the Secretary-General's report and for his proposals regarding the establishment of a follow-on mission to UNTAET. That support is very much appreciated and will, I am sure, facilitate the timely establishment of

the United Nations Mission of Support in East Timor before the independence of East Timor on 20 May.

The President (*spoke in Russian*): There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 5.25 p.m.